

BLOCKADE TACTICS OF TORY MEMBER BLOCKS HIS OWN INQUIRY

McConnell (Saskatoon) Tries Bluff to Avoid
Ridicule When Tory "Charges" Collapse
for Lack of Evidence in Public
Accounts Probe

When is a "Charge" not a "Charge?"

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How Tory Member Blocked His Own Inquiry

THE word "charge," when used by Conservative spokesmen on the hustings or by the Conservative Press in flaring headlines, is to be construed as something entirely different from the current and accepted meaning of the word. Tory "charges" are consistent in one thing only. They either backfire, or prove "duds."

There were, for instance, the so-called "Happyland Charges" which, Conservative spokesmen assured electors of Arm River, would detonate with explosive violence when the Legislature met. Everybody in the Province now knows (or should know) how faint a "puff" that great "bomb" created. When the Legislature did meet, honorable members witnessed the ludicrous spectacle of Dr. J. T. M. Anderson and Mr. Howard McConnell, his seat-mate and henchman, singly and in chorus assuring the House they had no "charges" whatever to make in that connection. They had some information, had heard certain rumors, which they evinced great anxiety to investigate, knowing all the time that all material evidence pertinent to the inquiry had been destroyed according to law.

Interpreter Needed

Then there was the much-heralded exposé promised by Mr. McConnell in regard to certain expense accounts which he proposed to have investigated. Here again, study of the proceedings before the Public Accounts Committee of the Legislature reveals that Conservative statements can not be taken at their face value. Tory leaders are conscious of this idiosyncrasy of theirs, as evidence the fact they found it necessary to appoint an "Interpreting Committee" to elucidate the meaning of their platform as drafted at the great Conservative convention held in Saskatoon, March, 1928. Like Bret Harte's "Heathen Chinee"—for ways that are dark and tricks that are vain, our Tory friends are peculiar!

The Public Accounts Committee of the Legislature is that standing committee to which is referred the Public Accounts of the Province for the last completed fiscal period, for purposes of examination and, if necessary, report. In Saskatchewan and in some other Legislatures, it has another duty. It recommends what journals, sessional papers and speeches shall be printed.

In its chief capacity, it affords members of the Legislature the opportunity of probing into the minutiae of provincial expenditures and governmental administration of the public funds, of which the Public Accounts are a record.

Duty of Opposition

The Public Accounts Committee, in virtually all British parliaments and legislatures, is one of the most important of the standing committees, and is looked upon as being, to all intents and purposes, an Opposition Committee. By that is meant that the Opposition usually assumes the direction of whatever investigation is decided upon, using this means to bring public attention to matters which have excited their suspicions or drawn their criticism. The assumption is that Public Accounts, being a record of the administration of the public funds by the Government will be satisfactory to Government supporters and that, if any serious investigation is deemed necessary, the demand will come from Opposition members. This has led to the general conception that it is primarily and pre-eminently the duty of the Opposition to set the machinery in motion whereby the fullest possible advantage may be taken of the privileges and opportunities offered by this Committee to scrutinise the Government's record.

Since the present Liberal Government was returned to office in 1925, a Public Accounts and Printing Committee has been duly named at the first business sitting of each session of the Legislature. Each year, the Committee met for organisation immediately after the Public Accounts, having been tabled in the House, were referred to it for consideration. At organisation meetings, a chairman is appointed to whom is assigned the duty of calling the members together when any request for information on, or examination into, any item is made.

This procedure has been followed at every session of the Legislature since 1925, and at no session has any member of the Opposition found any item in the Public Accounts of any year,

upon which he desired further information or into which he wished to probe—until last session. Throughout all these years, this Committee met as a Committee on Printing alone, never as a Committee on Public Accounts for the reason that no question has been referred to it, nor investigation initiated in it, by members of the Opposition—until last session.

No Expenditure Challenged

During the four years that have elapsed since the present Government assumed the reins of office, the Government has expended a total of approximately \$50,000,000 from revenue account alone, complete details relative to which are set forth in Public Accounts for the successive fiscal years. That is the first fact to be remembered.

Last session, the Committee on Public Accounts and Printing was duly organised on January 9, 1929, and, on the call of the chairman, held its first business meeting, January 15. On that occasion Mr. Howard McConnell, on behalf of the Conservative Group, requested authority from the Legislature to have produced before the Committee for examination the vouchers of salaries and expense accounts of three former highway inspectors, Messrs. J. G. Cameron, A. McCallum and W. G. McKay. This minor item, involving a paltry and insignificant sum by comparison, was the sole item of expenditure with which the combined wits of Opposition members could find fault (and it developed they could find no fault with that) in all the \$50,000,000 expended by this Government since it took office. That is the second fact to be remembered.

As stated above, these men were “former highway inspectors.” They were no longer Civil Servants. Consequently, when Mr. McConnell launched his request for the production of their expense accounts he was seeking the right to investigate items in Public Accounts of past years, upon which, by silence or inaction, the Opposition had already set the seal of assent or stamp of approval. Furthermore, the Committee found itself confronted by the Standing Orders of the Assembly which definitely confine Standing Committees to matters specifically referred to them by the Legislature. In this case, the House had referred the Public Accounts for the fiscal year, 1927-28. The Committee could not, therefore, proceed with the investigation sought by Mr. McConnell without authority from the Legisla-

ture. Such authority was asked for and granted without dissentient voice, the same day. It will be seen that everything possible was done to facilitate the inquiry. There was no obstacle placed in Mr. McConnell's way either by the Committee or by the Legislature.

Opposition Dilatory

This authority was granted, January 15, and from that day on Mr. McConnell had access to the expense accounts and vouchers concerning which he had said so much. The Committee sat on January 18, January 22, January 23 and January 25. On the last mentioned date, with Mr. McConnell absent and all business disposed of, there was nothing whatever before the Committee. Had Government members had any intention or desire to block the inquiry, an admirable opportunity was presented there and then. Everybody knew the session was drawing to a close. Everybody appreciated the necessity of speeding up the work of the Committee which already had seriously cramped other important committees which had public business to transact. Advantage might have been taken of Mr. McConnell's own dereliction without justifiable opposition criticism of the action, for Dr. Anderson, though present, did not raise his voice on behalf of his seat-mate and henchman. The initiative was taken by Premier Gardiner.

Turning to Dr. Anderson, the Premier asked if he had any other item to bring before the Committee. Dr. Anderson answered "No!"

The Premier then asked: "What about Mr. McConnell's question?"

To this Dr. Anderson replied: "I know nothing about that!"

It was Premier Gardiner who then moved that the Committee adjourn until the following Tuesday, January 29, to give Mr. McConnell his chance. There was no evidence there of any desire on the part of the Government to block the inquiry!

The Committee re-assembled, January 29, expectant of the promised disclosures. It was disappointed. On that date, despite the fact the vouchers and expense accounts had been available for his perusal for two weeks during which time he had done his utmost to disseminate suspicion that there was "something rotten in the state of Denmark," Mr. McConnell blandly informed the Committee that he was not prepared to proceed.

In fact, he admitted he had no case against Mr. Cameron, and would not know if he had a case until he had examined the expense accounts.

Again, to accommodate Mr. McConnell, and despite pressure of other legislative business, the Committee agreed to adjournment for another day with the understanding that the instigator of the inquiry would have something definite to place before it at the next meeting. Still, it will be observed, there was no attempt to "block" the inquiry!

McConnell Blockade Starts

On January 30, Mr. McConnell appeared before the Committee, stated that he had examined the vouchers and expense accounts in question and asked that "an order of the Committee do issue for the subpoena of Messrs. Cameron and McCallum."

In response to this, the Chairman (Dr. Sahlmark) informed the Committee that, on the previous afternoon, Mr. McConnell had intimated to him a desire to summons Messrs. Cameron and McCallum. Pursuant to that request, he had ascertained that Mr. Cameron was in the city and would attend when called. Mr. McCallum, however, was unavoidably absent, although he had held himself in readiness for such a call during the two weeks which had elapsed since his name was first mentioned by Mr. McConnell. The Committee then adjourned until 2 p.m. of the same day, to enable Mr. Cameron to attend.

Several incontrovertible and incontestable facts may be noted at this stage.

(1) It was now within two days of the end of the session yet, to date, all Mr. McConnell's motions had been for adjournment, delay and postponement. Had subpoena been issued for Mr. Cameron in the usual manner, as requested by Mr. McConnell (that is, by signed order of the Chairman forward through the Clerk of the Legislative Assembly) the inquiry would have collapsed automatically, for the Rules of the House set forth that no standing committee may sit and function as such after the legislative session ends;

(2) Dr. Sahlmark's action was the only possible action by which the inquiry could have been facilitated;

(3) Mr. Cameron did not require subpoena but signified his willingness to face Mr. McConnell by the readiness with which he placed himself at the disposal of the Chairman;

(4) Neither Mr. Cameron nor any member of the Government had obstructed Mr. McConnell in any way; rather the reverse. They had done everything possible to remove the obstructions he himself created.

Tries to "Save His Face"

When the Committee met in the afternoon, Mr. McConnell over-reached himself in his anxiety to block his own inquiry. He had examined the vouchers and accounts and found he had no case. Deliberately, therefore, he set out to "save his own face."

Right at the outset even before Mr. Cameron (who was present) was properly called before the Committee, Mr. McConnell demanded that he be sworn. Now, as this is the crux of the situation, it were well to have a clear understanding of it.

Eight witnesses previously had appeared before the Committee relative to items in the Public Accounts. None of these was sworn, the Committee vetoing a suggestion to that effect made by Mr. O. D. Hill, Government member for Melfort. The procedure, therefore, was established and in accord with the practice as agreed upon. Mr. McConnell's demand was, in effect, that this agreement should be set aside in his behalf. There are definite rules of procedure in connection with matters of this kind. Bourinot (the accepted authority on parliamentary procedure in Canada) specifically states that it is usual for witnesses before Committees to be sworn only when the inquiry is of a judicial character and that, under such circumstances, the witness is accorded the fullest possible protection such as he would have in a court of justice. Mr. McConnell's demand was a deliberate flouting not only of an arrangement to which he had been a party, but also of the rules of parliamentary and court procedure.

Accounts Not Persons

Here again certain facts are to be noted. In the first place, the Committee was appointed to examine into items in the Public Accounts and had power to examine witnesses only in connection with items contained therein or arising therefrom. Mr. McConnell at no stage in the proceedings, brought the vouchers and expense accounts before the Committee. The procedure is (and it requires no explanation) accounts first, witnesses second. With brazen effrontery, Mr. McConnell de-

manded a complete reversal of the practice. He attempted to place Mr. Cameron on trial for the sole purpose of fishing for information which had nothing whatever to do with any item in the Public Accounts.

In the second place, so long as the vouchers and expense accounts were not before the Committee, Mr. McConnell was entirely out of court in the methods he pursued, for he could not legally and formally examine Mr. Cameron, sworn or unsworn, until the items in question had been placed before the Committee.

McConnell Made No Charge

In the third place, no charge had been made, or subsequently was made, against Mr. Cameron. Mr. McConnell followed his notorious tactics,—implied insult and applied insinuation! The Conservative Organ, The Regina Daily Star, in reporting the proceedings, stated that "Mr. McConnell protested he was laying no charges against Mr. Cameron." The farthest he would go in that direction was to insinuate in his habitual style, that there was something wrong (he would not say what), that he had been informed "some expense shown to have been incurred was not incurred by Mr. Cameron." He even refuted vigorously the statement made by Hon. Mr. Davis, Attorney General, that "he (Mr. McConnell) had suggested that some of the accounts were padded."

"I did not suggest anything of the kind," Mr. McConnell retorted.

Later on, again as reported in The Star, "Mr. McConnell said that some members can't get it out of their heads that it is a charge. It is not a charge, he said, but all he asked for was information."

When challenged that the procedure he sought to follow was contrary to parliamentary and court practice and "to the principles underlying British justice," in that he sought to ask a witness to testify on oath without specifying the charge, the nature of evidence he proposed to adduce or the information he desired to elicit, Mr. McConnell stated he did not "wish to be more specific."

Would Not Call Witnesses

"Have you any witnesses here to substantiate your information?" he was asked, the suggestion being that he call these witnesses then place Mr. Cameron on the stand to answer on

oath the statements made. Mr. McConnell replied that he had no desire to call witnesses, and admitted that there might be nothing in the information he had received. All he desired to do, he said, was to examine Mr. Cameron in "a friendly way" to learn if his information was incorrect. What that information was he persistently refused to divulge. His ideas of a "friendly way" inspire utterance of that well-known prayer: "Heaven protect us from our friends"—if they be anything like Mr. McConnell.

When Hon. Mr. Hamilton, Minister of Agriculture, suggested that the proper procedure was for the Deputy Minister of Highways and the Provincial Auditor to be called, and asked to state whether or not the expense accounts were in order, and to examine each separate item until the particular account upon which Mr. McConnell had information was found, Mr. McConnell stated there was no need to call the officials mentioned. He had examined the expense accounts and vouchers and, so far as the Deputy Minister and the Provincial Auditor were concerned, he was satisfied everything was in order.

Gives Government Clean "Bill of Health"

This admission, which will be found in The Star report, was an unexpected one and tantamount to a clean "bill of health" for the Government.

Bent on bringing matters to a head and on having the accounts properly before the Committee, Premier Gardiner again took the initiative. Acting on his motion, the Deputy Minister of Highways and the Provincial Auditor were summoned, the officials bringing with them the vouchers and expense accounts in question. Both examined these before the Committee and declared the routine safeguards had been duly exercised in connection with them and that they had been properly checked and counter-checked according to departmental practice in matters of the kind.

Mr. McConnell now was in position to call Mr. Cameron to the witness stand and examine him under the rules of procedure. He took the ground, however, that "if the Committee was not willing to have Mr. Cameron sworn, then he had no further interest in the inquiry."

Premier Gardiner, thereupon, emphasised the fact that no one had objected to Mr. Cameron being sworn. All the com-

mittee wanted was that Mr. McConnell should place the information he had before the Committee, then the Committee would be in a position to judge whether or not it wished to have Mr. Cameron sworn. It was not right, he said, to ask Mr. Cameron to give evidence against himself as to which action might be taken by someone later on. There were very definite rules in Bourinot in matters of this kind and, he concluded, the Committee simply wanted to know where it was going so as not to go outside these rules.

Government Members Protest Blockade

Private members of the Government group also strongly protested against dropping the inquiry. In insisting that the matter be proceeded with, they declared Mr. McConnell was deliberately trying to close the inquiry on a technicality. Definite charges were made, which neither Mr. McConnell nor Dr. Anderson made any attempt to refute, that the former was contriving to block proceedings in order to "make political capital for the hustings." Government members, for their part, vigorously resented the idea of letting the matter drop so that Conservative spokesmen might say that the "Government had quashed the inquiry."

Posed with the alternatives of proceeding or discontinuing, Mr. McConnell declared he was not prepared to continue under "the conditions laid down by the Committee."

Premier Gardiner strongly protested that the conditions were not laid down by the Committee. The conditions and procedure, he insisted, were prescribed by the Rules of the House and by parliamentary practice in the Dominion and Imperial parliaments.

Government speakers, throughout asserted they were not objecting to Mr. Cameron being sworn. They did argue that, in fairness to witness, in accordance with established procedure and in consonance with British principles of justice, both witness and Committee should be informed WHAT FOR!

Mr. McConnell had no desire to proceed further. Appeals to his vaunted spirit of fairplay, promptings and cajolments alike, fell on deaf ears. Then, in reply to the straight question from the Chairman, he declared he had no desire to call further witnesses.

The sitting of the Legislature had been held up for approxi-

mately an hour in order to give Mr. McConnell his chance. He had refused to avail himself of it, except under conditions which transgressed even the bounds of common decency and which, had they been accepted, would have reduced proceedings to a mere travesty of justice.

Another Conservative "Moral Victory"

Mr. McConnell scored another of the "moral victories" of which Conservatives make so much. Having found nothing wrong with the vouchers or expense accounts, having failed to establish his case, he had only one avenue of escape from an ignominious position. His calculations upset by the desire of the Government to have the fullest possible inquiry in the matter, he had only one recourse. In plain language, Mr. McConnell's inquiry was blocked—by Mr. McConnell!

So obvious was this, that even the Regina Daily Star could not evade or distort the truth. Despite a misleading heading, the opening sentence of The Star's reports of the proceedings, in the issue of January 31, puts the fact bluntly:

"Blocked by the refusal of Mr. McConnell...the Public Accounts Committee came to a deadlock at 3.40 Wednesday afternoon."

That both Mr. McConnell and his leader, Dr. Anderson, were satisfied with the result of their efforts, is proved by subsequent events. Evidence that neither of these honorable gentlemen (and they are honorable gentlemen—as Brutus was!) was prepared to challenge the fact that the Committee's actions had been right and proper and in accordance with the rules of parliamentary procedure, is found in their acceptance of the relevant portion of the report ultimately submitted by the Committee to, and concurred in by, the Legislature.

That report ended with the statement:

"The fullest possible opportunity was accorded to all members of the Committee to examine vouchers or any documents called for, and NO RESTRICTION WAS PLACED UPON THE LINE OF EXAMINATION."

Amendments Irrelevant

When the report was submitted to the Committee for its adoption Dr. Anderson moved an amendment thereto which had

reference to the letting of contracts by tender. This amendment was ruled out of order, as the matter had already been discussed and decided by the Legislature. Mr. McConnell then came to his Chief's rescue with the same amendment couched in slightly different language. This time, the Committee allowed the question to be put and the amendment was defeated, 24 against and two for—it is unnecessary to name the two, though there were other Opposition members on the Committee!

It will be noted that neither Dr. Anderson nor Mr. McConnell contested the sentence in the report quoted above. They admitted, therefore, that, so far as the rules of procedure permitted, **NO RESTRICTION WAS PLACED UPON THE LINE OF EXAMINATION!**

The report of the Committee was submitted to the Legislature. Even then, the Conservative members had opportunity to protest had they considered that they "had a leg to stand on," for a motion for concurrence in such reports is debatable. They had nothing whatever to say, not even when the motion was put, and the report was concurred in without opposition.

McConnell Completely Out of Court

In every particular, therefore, Mr. McConnell is out of court when he attempts to mislead the people of Saskatchewan into believing that serious and sincere efforts made by him and his colleague to inquire into certain items in the Public Accounts, were blocked by the Government. Mr. McConnell and his leader are two of a kind. The heat of their campaign oratory does not serve to "warm their feet" when they stand on the floor of the Legislature or before a Legislative Committee. They may be "heroes on the hustings, and terrors on the stump," but they are like Kipling's "Little black sheep who have gone astray" when they face fellow-members in the Assembly.

NOTE:—Every statement contained herein having reference to the proceedings before the Public Accounts Committee of the Legislature may be verified by reference to the newspaper reports of the proceedings, particularly those contained in the "Conservative Organ," The Regina Daily Star, of January 30 and 31.